

Notice of Allowability

Application No.

10/802,382

Examiner

Darren W. Ark

Applicant(s)

NELSON ET AL.

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Supplemental Amendment filed on 06/02/2008.
2. ☒ The allowed claim(s) is/are 1-83.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 06/17/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

/Darren W. Ark/
Darren W. Ark
Primary Examiner, Art Unit 3643

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 23. (Amended) The insect control station as in claim 14 [22], wherein said mechanism is a killing mechanism comprising an eradication mechanism positioned proximate to or within the attractant zone.

2. The following is an examiner's statement of reasons for allowance:

In regard to claim 1, the prior art of record does not disclose an insect control station comprising a gluey surface supported on the control station.

In regard to claim 7, the prior art of record does not disclose an insect control station comprising a pesticide supported on the control station.

In regard to claim 9, the prior art of record does not disclose an insect control station comprising a gluey surface supported on the control station.

In regard to claim 11, the prior art of record does not disclose an insect control station comprising a pesticide supported on the control station.

In regard to claim 13, the prior art of record does not disclose an insect control station comprising a source of negative pressure connected to the tubing, the control station having an inlet proximate the resonator sized to receive insects that are drawn through the inlet in response to negative pressure.

In regard to claim 14, the prior art of record does not disclose an insect control station comprising the eradication mechanism includes a detector to detect the presence of an insect within the attractant zone, the eradication mechanism being activated in response to detection of the insect.

In regard to claim 16, the prior art of record does not disclose an insect control station comprising a source of negative pressure connected to the tubing, the control station having an inlet proximate the resonator sized to receive insects that are drawn through the inlet in response to negative pressure.

In regard to claim 31, the prior art of record does not disclose an insect control station comprising the tubing having air intake holes and air outflow holes, the control station further comprising an element positioned within the tubing that produces heat in response to the passage of current therethrough, the air intake holes and air outflow holes being arranged relative to the heat-producing element to establish convection currents of heated air when heat is being produced by the heat-producing element.

In regard to claim 37, the prior art of record does not disclose an insect control station comprising a source of negative pressure connected to the tubing, the control station having an inlet proximate the resonator sized to receive insects that are drawn through the inlet in response to negative pressure.

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In regard to claim 45, the prior art of record does not disclose an insect control station comprising the tubing having air intake holes and air outflow holes, the control station further comprising an element positioned within the tubing that produces heat in response to the passage of current therethrough, the air intake holes and air outflow holes being arranged relative to the heat-producing element to establish convection currents of heated air when heat is being produced by the heat-producing element.

In regard to claim 48, the prior art of record does not disclose an insect control station comprising a gluey surface supported on the control station.

In regard to claim 61, the prior art of record does not disclose an insect control station comprising a pesticide supported on the control station.

In regard to claim 74, the prior art of record does not disclose an insect control station comprising the tubing having air intake holes and air outflow holes, the control station further comprising an element positioned within the tubing that produces heat in response to the passage of current therethrough, the air intake holes and air outflow holes being arranged relative to the heat-producing element to establish convection currents of heated air when heat is being produced by the heat-producing element.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (571) 272-6885. The examiner can normally be reached on M-F, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Darren W. Ark/
Darren W. Ark
Primary Examiner
Art Unit 3643

DWA



FIG. 2A

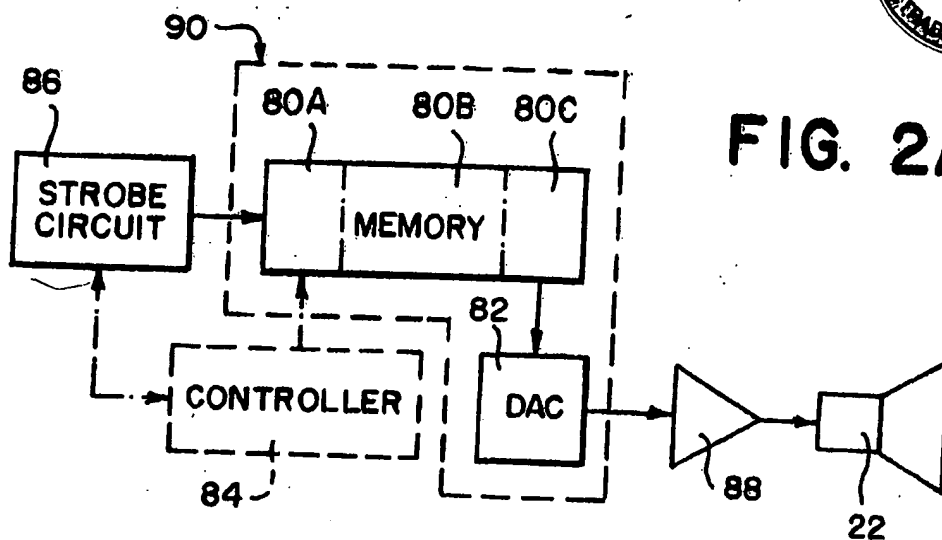


FIG. 7
AMENDED

